

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**ROBERT EMMA, Custodian, IRA, DTD  
7/10/97,**

**Plaintiff,**

**VS.**

**Civil Action No. 04-CV-12106 NMG**

**RS INVESTMENT MANAGEMENT, L.P.,  
PFPC DISTRIBUTORS, INC., G.  
RANDALL HECHT, LEONARD B.  
AUERBACH, JEROME S. CONTRO,  
JOHN W. GLYNN JR. and MICHAEL  
MCCAFFERY,**

**Defendants, and**

**RS EMERGING GROWTH FUND,**

**Nominal Defendant.**

**ASSENTED TO MOTION FOR AN EXTENSION OF TIME TO RESPOND TO  
DEFENDANTS' MOTIONS TO DISMISS AND MOTION TO TRANSFER**

Plaintiff Robert Emma, with the consent of all defendants, moves to extend the time for plaintiff to respond to Defendants' Motions to Dismiss and Motion to Transfer, currently due to be filed on February 24, 2005, to be filed on or by March 31, 2005.

Dated: February 22, 2005

Submitted by the attorneys for the Plaintiff,

/s/ Edward F. Haber

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